

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.3871 of 2015

ORDER:

The petitioner, who is accused No.1, filed this Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.22 of 2015 of Women Police Station, Tirupathi Urban, Chittoor District, registered for the offences punishable under Sections 109, 323, 498-A IPC and Section 3 & 4 of Dowry Prohibition Act, 1961.

The case of the prosecution is as follows:

On 10.12.2010, the marriage of the informant was performed with accused No.1. At the time of marriage, Rs.2 lakhs cash, 20 tulas of gold were given as dowry. The parents of informant are alleged to have incurred expenditure of Rs.2 lakhs towards wedding expenses. Before the marriage, the husband and in laws of informant promised her to study a course of her choice, but after the marriage they did not allow her to pursue her studies. From the beginning, the husband and in-laws of informant used to harass her for additional dowry of Rs.2 lakhs, used to beat her and ultimately sent back to her parent's house. After six months, her parents went to her in laws house, but they were not allowed and beaten. On 12.01.2015 when she wanted to give a complaint to Superintendent of Police, Tirupati, she was called for discussion. Instead of discussing the issue, herself and her family members were alleged to have beaten. Basing on these allegations, the present report came to be registered.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for State.

Learned counsel for petitioner submits that since the petitioner stands on the same footing as that of accused Nos.2 to 4, who were

granted anticipatory bail, the request of the petitioner can also be considered.

Learned additional public prosecutor opposed the same and stated that the allegations are mainly directed against the accused No.1 and as such he is not entitled for the relief.

In view of the allegations and counter allegations made and having regard to the alleged compromise arrived between the parties on 19.01.2015, the counsel for the petitioner seeks a direction to the trial Court to dispose of matter at the earliest in the event of surrender by the petitioner.

Having regard to the circumstances stated above, the Criminal Petition is disposed of, by directing the petitioner to surrender before the concerned Court and make a suitable application for bail after giving prior notice to the public prosecutor, in which event the same shall be dealt with on merits in accordance with law either on the same day.

C. PRAVEEN KUMAR, J

30.04.2015

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CRIMINAL PETITION No.2466 of 2015

Date:30.03.2015

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